

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JUAN MEDINA-ALVAREZ,

Defendant.

CASE NO. 8:02CR194

ORDER

This matter is before the Court on the Defendant's motion for leave to proceed on appeal in forma pauperis and for copies (Filing No. 139).

On August 1, 2005, after reviewing the Defendant's certificate of appealability the Eighth Circuit Court of Appeals filed its mandate affirming the district court's judgment and denying the certificate. (Filing No. 130.) On April 20, 2006, the Defendant filed a request for leave to proceed on appeal in his post-conviction matter. The time for the filing of a petition for certiorari has expired. S. Ct. R. 13.

IT IS ORDERED that the Defendant's motion for leave to proceed on appeal in forma pauperis and for copies (Filing No. 139) is denied.

DATED this 8th day of May, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge